

**United States Department of Agriculture**  
**Special Provisions**  
**Grants and Assistance Type Cooperative Agreements**  
**Supplementing Title 7 of the Code of Federal Regulations**  
**Parts 3016 and 3019**

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**1. DEFINITIONS**

Supplementing 7 CFR 3016.3 and 3019.2 (as applicable), the following terms have the meaning set forth below:

- a. **Authorized Departmental Officer (ADO)** - The Awarding Agency Official authorized to enter into, administer, and terminate Grants and Assistance Type Cooperative Agreements.
- b. **Authorized Departmental Officer's Designated Representative (ADODR)** - The Awarding Agency's technical representative, acting within the scope of delegated authority, who is responsible for participating with the Recipient in the accomplishment of this Agreement's objectives and monitoring and evaluating the Recipient's performance.
- c. **Awarding Agency** - The USDA Agency making the award; Agricultural Research Service (ARS), Economic Research Service (ERS), or the National Agricultural Statistics Service (NASS).
- d. **CFR** - Code of Federal Regulations
- e. **Electronic Funds Transfer (EFT)**- Electronic transfer of funds to Recipient's bank account.
- f. **HHS/PMS - Health and Human Services/Payment Management System** - A method of receiving payment by electronic draw down.
- g. **Principal Investigator (PI)** - The Recipient's technical representative who is responsible for conducting the effort of the Recipient in the accomplishment of this Agreement's objectives.

- h. **Recipient** - The organization receiving financial assistance directly from the Federal awarding agency to carry out a project or program.

- i. **Treasury Check** - A method of receiving payment by paper check from the U.S. Treasury.

**2. ASSURANCES AND COMPLIANCES**

a. **7 CFR 3015.205 General Provisions**

The Recipient agrees to comply with the General Provisions of 7 CFR 3015.205.

b. **Recombinant DNA Research.**

It will assume primary responsibility for implementing proper conduct of recombinant DNA research and it will comply with the National Institutes of Health Guidelines for Recombinant DNA Research, as revised.

If the Recipient wishes to send or receive registered recombinant DNA material which is subject to quarantine laws, permits to transfer this material into the U.S. or across state lines may be obtained by contacting: USDA/APHIS/PPQ, Scientific Services-Biotechnology Permits, 4700 River Road, Unit 133, Riverdale, Maryland 20737. In the event that the Recipient has not established the necessary biosafety committee, a request for guidance or assistance may be made to the USDA Recombinant DNA Research Officer.

Grant Recipients are required to complete Form ARS-411, Research Assurance Statement when it is anticipated that the research project will involve recombinant DNA research.

c. **Title VI of the Civil Rights Act of 1964.**

The Recipient will comply with Title VI of the Civil Rights Act of 1964, 42 U.S.C. 2000d, Title 7 CFR Parts 15, 15A, 15B, and 15C, incorporated herein by reference and will:

- (1) Display in common areas of its facility where the Federally funded research is being conducted, Form AD-475A, USDA Civil Rights poster entitled, "And Justice for All," during the performance period of the Federally assisted program.
- (2) Include a statement of nondiscrimination on the basis of race, color, sex, national origin, age, and disability in all program announcements and invitations to participate in the Federally assisted program.

- (3) Distribute announcements for Federally assisted research conferences and symposia to minority, female, and disability organizations.
- (4) Maintain a listing of all organizations contacted to participate in Federally assisted conferences and symposia.
- (5) Conduct Federally assisted programs in facilities accessible to persons with disabilities, and provide alternative accommodations and means for participants with disabilities.
- (6) Provide the Agency, upon completion of the Federally assisted conferences or symposia, a **program participation report**, (See Section 9, **Close Out**, of this form for more information), identifying the number of program participants by race, sex, and national origin.

### 3. DATA COLLECTION

Pursuant to the requirements of 5 CFR 1320 governing the collection of identical information from the public, the Recipient shall submit to the agency copies of questionnaires and other forms for clearance in accordance with the Paperwork Reduction Act of 1980, if data collection activities are conducted in the performance of the award.

### 4. ACKNOWLEDGMENT OF SUPPORT AND DISCLAIMER

The following acknowledgment of Awarding Agency support must appear in the publications of any materials which is based upon or developed under this Agreement (whether or not copyrighted):

"This material is based upon work supported by the U.S. Department of Agriculture, under Agreement No. (Recipient should enter the applicable agreement number here)."

All such materials must also contain the following disclaimer unless the publication is formally cleared by USDA:

"Any opinions, findings, conclusions, or recommendations expressed in this publication are those of the author(s) and do not necessarily reflect the view of the U.S. Department of Agriculture."

**Computer programs written and data prepared under this agreement, the cost of which is reimbursed by the Awarding Agency, are and shall remain the property of the Awarding Agency, but will be available for use by the Recipient.**

### 5. PAYMENT

Request for payment and payment disbursement shall be administered in accordance with 7 CFR 3016.21 and 3019.22 (as applicable).

#### a. Method

The recipient agrees to accept payment by either HHS/Payment Management System, Treasury check or Electronic Funds Transfer (EFT).

#### b. Indirect Costs

Indirect costs shall be advanced or reimbursed only upon receipt by the Awarding Agency of an approved negotiated indirect cost rate

schedule for the applicant organization.

#### c. Tuition Remission

Reimbursement to the Recipient for tuition remission is not allowable under this Agreement.

### 6. PERFORMANCE REPORTS

Pursuant to 7 CFR 3016.40 and 3019.51(as applicable), the recipient is required to submit (quarterly, annual, or semi-annual) program performance reports, based on the award date of this Agreement. See Form ARS-451 for financial reporting frequency applicable to this Agreement.

A final report is required 90 calendar days after completion of the project, expiration or termination of the award.

### 7. FINANCIAL REPORTS

Pursuant to 7 CFR 3016.41 and 3019.52 (as applicable), the recipient is required to submit (quarterly, annual, or semi-annual) financial reports, based on the award date of this Agreement. See Form ARS-451 for financial reporting frequency applicable to this Agreement.

A final report is required 90 calendar days after completion of the project, expiration, or termination of the award.

Standard Form 269A (short form) shall be used for financial reporting except where program income is anticipated, in which case the Standard Form 269 (long form) shall be used.

Financial reports shall be submitted on a cash basis unless otherwise approved by the ADO.

### 8. PATENTS, INVENTIONS AND COPYRIGHTS

#### a. Patents and Inventions.

The clause found at 37 CFR Part 401.14 is incorporated into this Agreement by reference and is applicable to all organizations regardless of size.

Terms are defined as follows:

(1)Contractor means the Recipient Organization as identified on the Form ARS-451, a part hereof.

(2)Contract means this Agreement.

#### b. Communications.

(1)The central point of contact within the U.S. Department of Agriculture for communications relating to the administration of patents and copyrights is:

Deputy Asst. General Counsel for Patents  
Research and Operations Division  
Office of General Counsel  
U.S. Department of Agriculture  
Stop 1415  
14<sup>th</sup> & Independence Ave., S.W  
Washington, DC 20250-1415

(2) Invention Disclosure and Utilization Reporting - The Grantee shall report Invention Disclosures and Utilization information

electronically via iEdison Web Interface at: <http://www.iedison.gov/>.

(2) Invention Disclosure and Utilization Reporting via U.S. Mail - If access to Interagency Edison is unavailable, the invention disclosure should be sent directly to:

DEITR, National Institutes of Health  
6701 Rockledge Drive, Room 3175, MSC 7750  
Bethesda, Maryland 20892-7750

c. **Copyrights.**

The Awarding Agency reserves a royalty-free, nonexclusive, and irrevocable license to exercise, and to authorize others to exercise, the rights for Federal Government purposes. Subject to this license, the owner is free to exercise, preserve, or transfer all its rights. The Recipient shall ensure that no Agreement is entered into for transferring the rights which would conflict with the nonexclusive license of the Awarding Agency.

The Recipient awarding a subaward is allowed to impose subaward terms reserving a nonexclusive license for itself, similar to the one reserved by the Awarding Agency, with respect to any copyright or rights subject to this section that arise under the subaward.

## **9. PROGRAM INCOME**

Pursuant to the requirements of 7 CFR 3016.25 and 3019.24 (as applicable), program income earned during the project period shall be added to funds committed to the project by the Federal Awarding Agency and Recipient and used to further eligible project or program objectives, unless otherwise specified by the ADO.

Program income must be reported on the Standard Form 269 (long form).

## **10. CLOSE OUT**

Upon completion of the project or expiration of the award the Recipient shall submit the following final reports to the Awarding Agency to officially close the file:

- Financial Status Report (SF-269 or 269A);
- Performance Report (Narrative Format);
- Patent and Inventions Report (DD Form- 882)  
**Negative Report Required**; and,